

BOARD OF MEDICAL EXAMINERS
ADVISORY COMMITTEE FOR ACUPUNCTURE

MINUTES

Date: March 29, 2005

Time: 1:00 P. M., CST

Location: Cumberland Room
Ground Floor, Cordell Hull Building
425 Fifth Avenue North
Nashville, TN 37247

Members Present: Judi Harrick, Chair
Peggy Watson, Co-Chair
Yeu-Quang Wong, LAC

Members Absent: Marna McKinney, Consumer Member
Joyce Perkins, ADS

Staff Present: Marsha Arnold, Unit Manager
Rebecca Brown, Board Administrator
Jerry Kosten, Regulations Manager
Robert Kraemer, Advisory Attorney
Rosemarie Otto, Executive Director

A quorum being present, Ms. Harrick called the meeting to order at 1:15 P.M., CST.

Approval of Minutes

After reviewing the minutes from the September 7, 2004 meeting as presented Ms. Watson made a motion to approve. Mr. Wong seconded the motion. The motion passed unanimously.

Manager's Report

Ms. Arnold, Unit Manager, reviewed the report found in the side pocket of their board books with the members present. The activities transpired between September 1, 2004 and February 28, 2005 for the total number of 81 active licensees.

Office of General Counsel

Mr. Kraemer informed the Committee that the Disciplinary Rule went to the rulemaking hearing on April 19, 2004. The Council adopted the rule on May 18, 2004 and the Attorney General

signed the rule. The Council filed the rule with the Secretary of State on September 24, 2004 and became effective on December 8, 2004.

Bureau Office

In the absence of Lisa Tittle of the Bureau Office, Ms. Otto reviewed a draft of the financial report with the board members. The Advisory Committee has a projected cumulative carryover as of June 30, 2004 of \$16, 429.94.

Disciplinary Coordinator

In the absence of Lea Phelps of the Office of Investigations, Ms. Otto informed the Committee that one licensee is being monitored at this time.

Disciplinary Guidelines

Ms. Otto explained to the Committee about the Disciplinary Guidelines as presented by the Office of Health, Licensure and Regulation. The Committee will use the guidelines during hearings for disciplinary action taken against a licensee found in violation of the practice act.

After the Committee reviewed the guidelines, Ms. Harrick made a motion to adopt the Disciplinary Guidelines. Ms. Watson seconded the motion and the motion passed unanimously.

Mandatory Criminal Background Check

Mr. Kosten, Regulations Manager, informed the Committee that the Department is urging all Boards to require new applicants are to submit to a criminal background check and that the Committee needs to make a motion to send this rule to rulemaking hearing.

After the Committee reviewed the rule, Ms. Harrick made a motion to send the rule to the rulemaking hearing and Ms. Watson seconded the motion. The motion passed unanimously.

Continuing Education

Mr. Kosten discussed with the Committee the rules for continuing education requirements for licensure renewal for acupuncturists. The Committee wants the language amended to comply with what constitutes successful completion of the continuing education requirements. The ADS' will be exempt from any continuing education requirements.

Mr. Wong made a motion to send the rules to the rulemaking hearing. Ms. Watson seconded the motion and the motion passed unanimously.

Attorney General's Opinion Number 05-020

Mr. Kraemer held a discussion on the opinion. The state will continue to require Chiropractors to be certified acupuncturists if using the needle insertion techniques as applied in the practice of

acupuncture. Thus, Chiropractors will have to rewrite their scope of practice without using the terms ‘acupuncture’ and ‘the practice of acupuncture’ as defined in Tennessee Code .

File Review and Approval of Applications

Ms. Harrick made a motion to approve the list of new applications for licensure as presented and Ms. Watson seconded the motion to ratify. The motion passed unanimously.

Noteworthy Information

There are no new updates at this time to report.

Next Meeting

The next meeting for the Committee was scheduled for September 6, 2005 in the Cumberland Room on the Ground Floor of the Cordell Hull Building at 1:00P.M., CST

Adjournment

With no further business, Ms. Harrick made a motion to adjourn. Ms. Watson seconded the motion and the motion carried unanimously. The Committee adjourned at 2:15 P.M., CST.

The Committee ratified the minutes on March 29, 2005.

Peggy Watson, LAC
Co-Chair

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